

FILED

NOT FOR PUBLICATION

MAY 23 2008

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS
FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

MAY 28 2008
at 11 o'clock and 3 min. P.M.
SUE BEITIA, CLERK

UNITED STATES OF AMERICA,

No. 06-10665

Plaintiff - Appellee,

D.C. No. CR-05-00300-JMS

v.

MEMORANDUM*

ROGER MANU BATES, aka Manu,

Defendant - Appellant.

Appeal from the United States District Court
for the District of Hawaii

J. Michael Seabright, District Judge, Presiding

Submitted May 20, 2008**

Before: PREGERSON, TASHIMA, and GOULD, Circuit Judges.

Roger Manu Bates appeals from the 198-month sentence imposed following his guilty-plea conviction for conspiracy to distribute and possess with intent to

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

distribute 500 grams or more of methamphetamine, in violation of 21 U.S.C.

§§ 841(a)(1), (b)(1)(A), and 846. We have jurisdiction pursuant to 28 U.S.C.

§ 1291, and we dismiss the appeal.

When Bates entered into a plea agreement with the government, he waived his right to appeal his conviction and sentence. The record reflects that Bates' guilty plea was knowing and voluntary, and that the appeal waiver was unambiguous. *See United States v. Jeronimo*, 398 F.3d 1149, 1153-57 (9th Cir. 2005). Therefore, we enforce the appeal waiver and dismiss this appeal.

DISMISSED.

06-10665

USDC, Honolulu
District of Hawaii (Honolulu)
United States Courthouse
Room C338
300 Ala Moana Blvd.
Honolulu, HI 96850-0000
